

**ENTERED**

September 25, 2018

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
MCALLEN DIVISION


CARLOS JAIME TORRES CARDENAS §  
§  
§  
VS. § MISCELLANEOUS ACTION NO. 7:07-MC-22  
§  
JEFFERSON SESSIONS, Attorney General §  
of the United States of America, *et al*, §  
§

**ORDER ADOPTING REPORT AND RECOMMENDATION**

Pending before the Court is Movant's motion pursuant to 28 U.S.C. § 2241, which had been referred to the Magistrate Court for a report and recommendation. On June 15, 2018, the Magistrate Court issued the Report and Recommendation, recommending that Movant's § 2241 motion be **DISMISSED** without prejudice for want of prosecution.

Pursuant to Federal Rule of Civil Procedure 72(b), the Court has reviewed the Report and Recommendation for clear error.<sup>1</sup> Finding no clear error, the Court adopts the Report and Recommendation in its entirety. Accordingly, Movant's § 2241 motion is **DISMISSED** without prejudice.

SO ORDERED this 25th day of September, 2018, at McAllen, Texas.

  
\_\_\_\_\_  
Randy Crane  
United States District Judge

<sup>1</sup> "The advisory committee's note to Rule 72(b) states that, '[w]hen no timely objection is filed, the [district] court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.' " *Douglas v. United States Service Auto. Ass'n*, 79 F.3d 1415, 1420 (5th Cir. 1996) (quoting Fed. R. Civ. P. 72(b) advisory committee's note (1983)) *superseded by statute on other grounds by* 28 U.S.C. § 636(b)(1), *as stated in ACS Recovery Servs., Inc. v. Griffin*, No. 11-40446, 2012 WL 1071216, at \*7 n.5 (5th Cir. Apr. 2, 2012).